

**PUBLIC SAFETY DEPARTMENT[661]**

**Notice of Intended Action**

**Proposing rulemaking related to the DNA database  
and providing an opportunity for public comment**

The Public Safety Department hereby proposes to rescind Chapter 156, “DNA Database,” Iowa Administrative Code, and to adopt a new Chapter 156 with the same title.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code section 81.4.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 81.

*Purpose and Summary*

Pursuant to Executive Order 10, the Department proposes rescinding Chapter 156 and adopting a new chapter in lieu thereof. The purpose of proposed Chapter 156 is to govern the administration of the DNA database and the collection, submission, analysis, identification, storage, and disposition of DNA records gathered for the database.

*Regulatory Analysis*

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on November 12, 2025. A public hearing was held on the following date(s):

- December 2, 2025

The Department received no public comments.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 661—10.222(17A).

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on May 20, 2026. Comments should be directed to:

Josie Wagler  
Department of Public Safety  
Oran Pape State Office Building  
215 East 7th Street  
Des Moines, Iowa 50319  
Phone: 515.725.6185  
Email: [wagler@dps.state.ia.us](mailto:wagler@dps.state.ia.us)

### Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

May 19, 2026 9 to 9:30 a.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa
May 20, 2026 2 to 2:30 p.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

#### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 661—Chapter 156 and adopt the following **new** chapter in lieu thereof:

#### CHAPTER 156 DNA DATABASE

**661—156.1(81) Establishment of DNA database.** There is established a DNA database within the division criminalistics laboratory. These rules govern the administration of the DNA database and the collection, submission, analysis, identification, storage, and disposition of DNA records gathered for the DNA database. These rules do not apply to the collection and handling of DNA samples gathered as evidence in the course of criminal investigations.

**661—156.2(81) Definitions.** The following definitions apply to rules 661—156.1(81) through 661—156.8(81):

“*Administrator*” means the administrator of the division criminalistics laboratory.

“*Commissioner*” means the commissioner of public safety.

“*Database*” means the DNA database located in the division criminalistics laboratory.

“*Department*” means the department of public safety.

“*Director*” means the director of the division.

“*Division*” means the division of criminal investigation.

“*DNA*” means deoxyribonucleic acid.

“*Expungement*” means the removal of information from the database, effectively severing any ability to link a DNA profile and an individual.

“*Laboratory*” means the division criminalistics laboratory.

**661—156.3(81) Administration of DNA database.** The database is under the direct supervision of a supervising criminalist employed by the laboratory and designated by the administrator.

**661—156.4(81) Collection of DNA samples.** Samples of DNA will be collected from any person required to submit a sample pursuant to the provisions of Iowa Code chapter 81.

**156.4(1)** The sample will be collected by the agency to which custody or responsibility for supervision has been assigned by the court issuing the sentencing order.

**156.4(2)** Each DNA sample will be collected as soon as is practical after an agency assumes custody or supervision of the person required to submit the DNA sample and the DNA sample is submitted to the laboratory in accordance with rule 661—156.5(81).

**156.4(3)** Each DNA sample will be collected using a DNA collection kit provided by the laboratory, following the instructions provided for the kit by the laboratory.

EXCEPTION: A DNA sample may be collected without the use of a DNA collection kit provided by the laboratory. If a sample is collected without the use of a kit, the person submitting the sample will include a signed and dated statement describing the collection procedure.

**661—156.5(81) Submission of DNA samples.**

**156.5(1)** All samples collected for inclusion in the database should be submitted to the following address:

Iowa DCI Criminalistics Laboratory  
2240 South Ankeny Boulevard  
Ankeny, Iowa 50023-9093

EXCEPTION: Each sample submitted in a package with a preprinted mailing address or with a mailing label with a preprinted address, when such package or label has been provided by the laboratory, will be mailed to the preprinted address. Any other sample will be mailed in accordance with instructions provided by the laboratory.

**156.5(2)** Each sample submitted will be accompanied by a completed DNA sample donor identification form included in the DNA collection kit provided by the laboratory. If the sample is submitted without the donor identification form, the sample will be accompanied by a statement signed and dated by the person submitting it, with at least the following information identifying the subject of the DNA sample: full name, date of birth, and a clear fingerprint. Additional identifying information, such as the social security number of the person providing the sample or identifying numbers assigned by state agencies, will be provided if available.

**661—156.6(81) Analysis of DNA samples.** Samples of DNA submitted to the laboratory will be analyzed by laboratory personnel and the results of the analysis entered into the database in accordance with the provisions of the “Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories” published by the DNA Advisory Board to the Federal Bureau of Investigation, July 1, 2025.

EXCEPTION: Analysis of DNA samples may be conducted by other laboratories under contract with the department with the approval of the administrator. Any other laboratory conducting analysis of DNA samples for inclusion in the database will comply with the requirements and procedures to which the laboratory is subject under this rule.

**661—156.7(81) Identification of DNA samples.** Each sample of DNA submitted for inclusion in the database will be identified by a unique number that will reference the full name of the person whose sample is submitted, the person’s date of birth, and a clear fingerprint taken from the person.

**661—156.8(81) Storage of DNA samples.** Samples of DNA submitted for inclusion in the database will be stored at room temperature.

These rules are intended to implement Iowa Code chapter 81.